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Attorneys for Defendants
 NORTHWEST STAFFING RESOURCES, INC.,
 an Oregon corporation; RESOURCE
 STAFFING GROUP, INC., an Oregon
 corporation DULCICH STAFFING, LLC, an
 Oregon limited liability corporation

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

U-HAUL COMPANY OF CALIFORNIA,
 Inc., a California corporation,

Plaintiffs,

v.

NORTHWEST STAFFING RESOURCES,
 INC., an Oregon corporation; RESOURCE
 STAFFING GROUP, INC., an Oregon
 corporation; DULCICH STAFFING, LLC,
 an Oregon limited liability corporation; and
 DOES 1 TO 25 inclusive,

Defendants.

Case No.: C07-3848 -CRB

**RE-NOTICE OF MOTION AND
 MOTION OF DULCICH STAFFING,
 LLC TO DISMISS FOR FAILURE TO
 STATE A CLAIM FOR WHICH
 RELIEF CAN BE GRANTED [FRCP
 12(b)(6)] OR IN THE ALTERNATIVE
 FOR A MORE DEFINITE
 STATEMENT AND TO STRIKE [FRCP
 12(c)(f)]**

Date: October 5, 2007
 Time: 10:00 a.m.
 Dept: Ctrm 8, 19th Floor

TO PLAINTIFF AND ITS ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that pursuant to the Court's August 9, 2007 order, the hearing of this matter previously noticed for September 14, 2007, has been re-noticed to October 5, 2007, or as soon thereafter as the matter may be heard in the above entitled court, before the Honorable Charles R. Breyer. At that time, Defendant DULCICH STAFFING, LLC (hereafter "Defendant

Re-Notice of Motion and Motion for 12(b)(6)

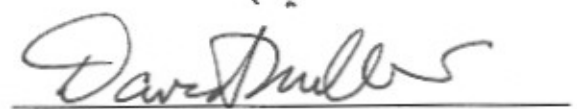
1 DULCICH") will move the Court to dismiss the action against it pursuant to FRCP 12(b)(6)
2 because Plaintiff's Complaint fails to state a claim upon which relief can be granted, on the
3 grounds that Plaintiff states no specific non-conclusory facts which could impose liability on
4 Defendants DULCICH, and that the only facts Plaintiff specifically plead and a document or
5 documents Plaintiff incorporated in its Complaint establish that there is no factually-stated viable
6 claim against Defendant DULCICH, or in the alternative for a more definite statement of the
7 basis of the claim and to strike the claim.

8 The motion will be based on this Notice of Motion and Motion, the Memorandum of
9 Points and Authorities filed herewith, and the Pleadings and papers filed in this matter.

10
11 DATE: August 10, 2007

Respectfully submitted,

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13 By


David Miller
Attorney for Defendants
NORTHWEST STAFFING RESOURCES,
INC., RESOURCE STAFFING GROUP,
INC., and DULCICH STAFFING, LLC

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27 Re-Notice of Motion and Motion for 12(b)(6)

PROOF OF SERVICE [FRCP 5(b)(d)]

I am a citizen of the United States. My business address is 1910 Olympic Blvd., Suite 220, Walnut Creek, California 94596. I am employed in the County of Contra Costa where this service occurs. I am over the age of 18 years and not a party to the within action. I am readily familiar with my employer's business practice for collection and processing of correspondence for mailing with the U.S. Postal Service, and that practice is that correspondence is deposited with the U.S. Postal Service the same as the day of collection in the ordinary course of business.

On the date set forth below, following ordinary business practice, I served the foregoing document(s) described as:

**RE-NOTICE OF MOTION AND MOTION OF DULCICH STAFFING, LLC TO
DISMISS FOR FAILURE TO STATE A CLAIM FOR WHICH RELIEF CAN BE
GRANTED FRCP 12(b)(6)**

on said date at my place of business, a true and correct copy thereof enclosed in a sealed envelope prepaid for first-class mail for collection and mailing that same day in the ordinary course of business, addressed to the parties as follows:

Robert Yonowitz, Esq.
Stacey A. Zartler, Esq.
Fisher and Phillips, LLP
One Embarcadero Center, Suite 2340
San Francisco, California 94111-3712

☒ **(BY MAIL)** I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States mail at Walnut Creek, California.

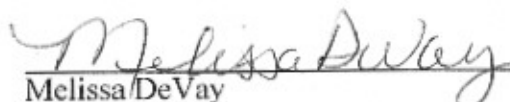
☐ **(BY FACSIMILE)** I transmitted a true and correct copy by facsimile to the number indicated above.

☐ **(BY PERSONAL SERVICE)** I caused such envelope(s) to be delivered by hand this date to the offices of the addressee(s) as listed above.

☐ **(BY OVERNIGHT DELIVERY)** I caused such envelope(s) to be delivered to an overnight delivery carrier with the delivery fees provided for, addressed to the person(s) on whom it is to be served as shown above.

☒ **(FEDERAL)** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 10, 2007 at Walnut Creek, California


Melissa DeVay

Re-Notice of Motion and Motion for 12(b)(6)